

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE

_____	Chapter 7
In re	USBC Case No. 15-11512-BAH
Lisa C. Berman and Jay Berman	CONTINGENT Hearing Date: August 11, 2021
	Hearing Time: 9:00 a.m.
Debtors	Courtroom: Courtroom A
	Objection deadline: August 4, 2021
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**MOTION OF MICHAEL S. ASKENAIZER, CHAPTER 7 TRUSTEE,  
FOR AUTHORITY TO MAKE SECOND INTERIM DISTRIBUTION TO CLAIMANTS**

TO THE HONORABLE BRUCE A. HARWOOD, CHIEF UNITED STATES BANKRUPTCY JUDGE:

Michael S. Askenaizer, Chapter 7 Trustee, as and for his motion for authority to make second interim distribution to claimants represents and states as follows:

1. This case was commenced by the filing of a voluntary petition under Title 11, Chapter 7, United States Code on September 24, 2015.
2. Trustee is the duly acting and qualified trustee in bankruptcy herein.
3. The primary asset of consequence in this estate is the liquidation of the Debtor's interest in a Charitable Remainder Trust with Mount Holyoke College as listed on line 19 of the Debtors' Schedule B Personal Property. (the "Asset").
4. Thus far, Trustee has collected the gross sum of \$8,152.21 from the Asset.
5. Seven creditors have filed timely proofs of claim which total \$15,915.21; two of which have both priority and unsecured classifications to their claims.
6. Trustee does not anticipate objecting to any of the claims.

7. On February 14, 2019, Trustee submitted his motion for Authority to Make First Interim Distribution to Claimants (Doc. No. 39) (the “First Distribution”) which was granted by Order of this Court dated March 28, 2019 (Doc. No. 42). Under the provisions of the First Distribution, Trustee paid an interim distribution of 45.08% to the priority creditors and an interim commission of \$750 plus expenses of \$89.85 to himself.

8. Trustee proposes with this motion to distribute \$3,044.64 to the priority creditors which will result in a payment of 100% to the priority creditors, and \$296.77 to the unsecured creditors who have filed timely claims in this case which will result in a distribution of approximately 2.861% to such creditors.

9. In addition, Trustee anticipates paying, following allowance, a second interim commission to himself in the amount of \$815.22 and \$93.37 for necessary expenses for a total second interim award of \$908.59.

10. Trustee therefore proposes with this motion to distribute the total sum of \$4,000 to be distributed on account of his commissions and expenses with the balance paid to all creditors as listed on the attached Proposed Distribution Report. Based on the calculation set forth in the attached proposed distribution, the timely filed priority claims will be now be paid 100% with unsecured creditors being paid 2.861% of their timely filed claims.

11. As required by the United States Trustee, the following exhibits are attached in support of this motion:

- Exhibit A: Individual Estate Property Record (Form 1)
- Exhibit B: Cash Receipt and Disbursement Record (Form 2)
- Exhibit C: Claims Review Analysis; and
- Exhibit D: Proposed Distribution Report

WHEREFORE, Trustee prays that this Court enter its order authorizing a second interim distribution in accordance with the proposed distribution set forth in Exhibit D; and that he have such other and further relief as may be just and proper.

Dated: 7/13/2021

/s/ Michael S. Askenaizer  
Michael S. Askenaizer, Esq.  
29 Factory Street  
Nashua, NH 03060  
Telephone: (603)594-0300  
Chapter 7 Trustee

**CERTIFICATION OF SERVICE**

I, Michael S. Askenaizer of 29 Factory Street, Nashua, New Hampshire 03060 certify:

That I am, and at all times hereinafter was, more than 18 years of age;

That on the 13<sup>th</sup> day of July, 2021, I served a copy of the foregoing Motion of Michael S. Askenaizer, Chapter 7 Trustee, for Authority to Make Second Interim Distribution, proposed Order, Notice of Hearing, and any and all other related documents filed in this proceeding via CM/ECF electronic notification on:

Office of the U.S. Trustee  
James C. Cleveland Federal Building  
53 Pleasant Street, Suite 2300  
Concord, NH 03301

All parties listed on the Court's CM/ECF register

In addition to the people served electronically, the following were served via U.S. Mail:

All creditors on attached list

I certify under penalty of perjury that the foregoing is true and correct.

Dated: 7/13/2021

/s/ Michael S. Askenaizer  
Michael S. Askenaizer